

1
2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5

6 KATHERINE CODY, ET AL.,

No. C 13-05270 CRB

7 Plaintiffs,

ORDER

8 v.

9 CITY OF ALBANY, ET AL.,

10 Defendants.

/

11
12 Plaintiffs filed suit in this civil rights case on November 13, 2013. The Complaint sets
13 forth constitutional, federal law, and state law claims related to the City of Albany's plan to
14 evict an encampment of people who are otherwise homeless from a 40 acre tip of a former
15 landfill known as "the bulb." See Compl. (dkt. 1) ¶ 1. Plaintiffs filed an Ex Parte
16 Application for Temporary Restraining Order and Order to Show Cause why a Preliminary
17 Injunction Should not Issue. Dkt. 3. Plaintiffs seek a Temporary Restraining Order to enjoin
18 the City of Albany from evicting residents of the bulb. The Court, having thoroughly
19 reviewed the papers and declarations, and having considered the arguments made at hearing
20 finds that Plaintiffs have failed to establish likelihood of success on the merits. Accordingly,
21 the Court DENIES the application.

22
23 **IT IS SO ORDERED.**

24
25
26 Dated: November 18, 2013



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE